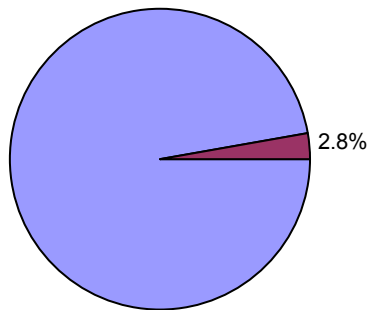


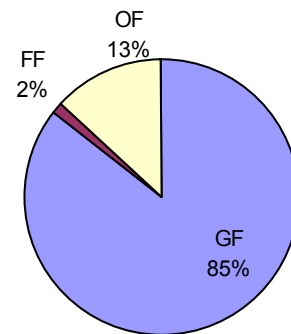
FY2006 Budget Briefing

Unified Judicial System

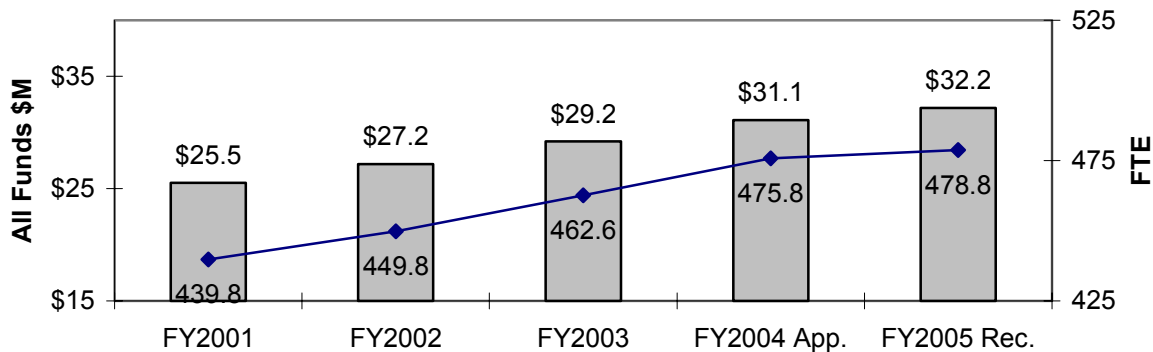
**Agency's Share of Total
Budgeted
State General Fund FY2006**



**Agency's Funding Source Split
FY2006**



Budget History



Key Responsibilities

- To provide timely and equitable administration of justice.

Key Personnel

- Chief Justice David Gilbertson
- D. J. Hanson, State Court Administrator
- John Ellenbecker, Director of Budget and Finance

Unified Judicial System Total*

The Court requests \$33,287,890 and 493.5 FTEs for the Unified Judicial System. This includes \$28,028,513 from the State General Fund, \$542,269 from federal funds, and \$4,717,108 from other funds. This is an increase of \$965,580 (3.0%) from FY 2005. The Governor recommends the request.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	23,857,278	24,913,502	25,705,694	25,705,694	792,192	3.2%
Travel	632,050	759,622	840,694	840,694	81,072	10.7%
Contractual Services	3,737,894	4,250,144	3,982,354	3,982,354	(267,790)	-6.3%
Supplies and Materials	606,968	596,699	642,587	642,587	45,888	7.7%
Grants and Subsidies	773,972	935,036	935,036	935,036	-	0.0%
Capital Outlay	700,403	867,307	1,181,525	1,181,525	314,218	36.2%
TOTAL	30,308,565	32,322,310	33,287,890	33,287,890	965,580	3.0%
Funding Sources:						
General Funds	26,461,700	27,543,026	28,028,513	28,028,513	485,487	1.8%
Federal Funds	235,353	486,103	542,269	542,269	56,166	11.6%
Other Funds	3,611,512	4,293,181	4,717,108	4,717,108	423,927	9.9%
TOTAL	30,308,565	32,322,310	33,287,890	33,287,890	965,580	3.0%
FTE	470.9	475.8	493.5	493.5	17.7	3.7%

*Excludes the recommended salary policy.

Major Expansions and Reductions

Program / Item	Agency Request			Governor's Recommendation		
	State General Fund	All Funds	FTE	State General Fund	All Funds	FTE
A. Court Administrator's Office						
Help Desk/Programmer	-	56,166	1.0	-	56,166	1.0
Project Manager	-	62,999	1.0	-	62,999	1.0
Security Administrator	-	56,166	1.0	-	56,166	1.0
Sr Programmer/Analyst	-	224,664	4.0	-	224,664	4.0
Court Services Coordinator	56,166	56,166	1.0	56,166	56,166	1.0
Court Administrator's Subtotal	56,166	456,161	8.0	56,166	456,161	8.0
B. Judicial Training						
Travel	-	50,948	0.0	-	50,948	0.0
Training	-	12,526	0.0	-	12,526	0.0
Judicial Training Subtotal	-	63,474	0.0	-	63,474	0.0
C. Circuit Court Operation						
Scheduling Clerk	33,558	33,558	1.0	33,558	33,558	1.0
Court Recorder	36,104	36,104	1.0	36,104	36,104	1.0
Secretary	31,345	31,345	1.0	31,345	31,345	1.0
Circuit Court Subtotal	101,007	101,007	3.0	101,007	101,007	3.0
D. Clerks of Court						
Deputy Court Clerks	91,164	91,164	3.1	91,164	91,164	3.1
E. Court Services Operations						
Court Services Officer	94,588	94,588	2.0	94,588	94,588	2.0
Secretary	46,744	46,744	1.6	46,744	46,744	1.6
Court Services Subtotal	141,332	141,332	3.6	141,332	141,332	3.6
Total	389,669	853,138	17.7	389,669	853,138	17.7

A. Court Administrator's Office. The Court request additional funding for the following positions.

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
1.0	Detention Center Help Desk / Programmer	\$56,166	Provide help desk support in the evening hours when detention centers are the most active; also provide programming support and training for centers
1.0	Project Manager	\$62,999	Oversee maintenace projects for computer systems
1.0	Network Security Administrator	\$56,166	Implement and monitor methods that insure the security and integrity of data and documents created by UJS personnel
4.0	Senior Programmer / Analyst	\$224,664	Provide support for UJS computer systems.
1.0	Court Services Program Coordinator	\$56,166	Peform professional evaluation services on referal programs and coordinate the development of an enhanced training curriculum, and design a policy & procedures manual for court services
8.0		\$456,161	

*Includes salaries and benefits

The Governor recommends this request.

B. Judicial Training.

The Court requests an additional \$50,948 for travel (an increase of 19.0% from FY 2005). The enhancement will be used for both in-state travel (\$47,784) and out-of-state travel (\$3,164). The Governor concurs.

The Court requests an additional \$12,526 for contractual services (an increase of 14.9% from FY 2005). The enhancement will be used for an educational and training consultant and for workshop registration fees. The Governor recommends this request.

C. Circuit Courts Operations. The Court request additional funding for the following positions.

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
1.0	Scheduling Clerk	\$33,558	Provide secretarial and scheduling support 2d Circuit judges due to the new Lincoln County courtroom and be a back-up recorder due to the limited availability of court reporters
1.0	Computer Assisted Court Recorder	\$36,104	Will replace a part-time contracted position and will work through out the 3d Circuit and provide secretarial support for the administrative office.
1.0	Secretary	\$31,345	Provide secretarial support for 7th Circuit
<hr/>			
3.0		\$101,007	

*Includes salaries and benefits

The Governor recommends this request.

D. Clerks of Courts. The Court request additional funding for the following positions.

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
1.0	Deputy Court Clerk	\$29,633	Perform clerical duties in the clerk of court office in Minnehaha County.
1.0	Deputy Court Clerk	\$29,633	Perform clerical duties in the clerk of court office in Pennington counties.
1.1	Deputy Court Clerk	\$31,898	Perform clerical duties in the clerks of court offices in Turner, Jerauld, and Meade counties
<hr/>			
3.1		\$91,164	

*Includes salaries and benefits

The Governor recommends this request.

E. Court Services Operations. The Court request additional funding for the following positions.

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
2.0	Court Services Officer	\$94,588	Supervise adults and juveniles placed on probation in the 7th Circuit where a need for additional staff has been demonstrated
1.6	Court Services Secretary	\$46,744	Perform additional clerical duties in the First Circuit (adding 0.5 FTE to an existing 0.5 FTE Secretary position and creating a new 0.5 FTE Secretary), Fifth Circuit (adding 0.3 FTE to an existing 0.5 FTE Secretary position), and in the Sixth Circuit (adding 0.3 FTE to an existing 0.5 FTE Secretary position)
3.6		\$141,332	

*Includes salaries and benefits

The Governor recommends this request.

State Bar Association--Informational

The informational budget for the State Bar Association shows no changes from FY 2004. The Governor's recommendation for this item is \$508,108 other and 3.0 FTEs.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	-	173,419	173,419	173,419	-	0.0%
Travel	-	153,758	153,758	153,758	-	0.0%
Contractual Services	-	141,170	141,170	141,170	-	0.0%
Supplies and Materials	-	24,947	24,947	24,947	-	0.0%
Other	-	14,814	14,814	14,814	-	0.0%
TOTAL	-	508,108	508,108	508,108	-	0.0%
Funding Sources:						
Other Funds	-	508,108	508,108	508,108	-	0.0%
FTE	0.0	3.0	3.0	3.0	-	0.0%

Revenues

Other Fund Revenue Sources

	<u>Actual FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>% Change Over FY2003</u>
Board of Bar Examiners / Application Fees	\$30,800	\$36,525	\$36,000	\$36,000	16.9%

Selected Performance Indicators

	<u>ACTUAL FY 2003</u>	<u>ACTUAL FY 2004</u>	<u>ESTIMATED FY 2005</u>	<u>ESTIMATED FY 2006</u>
No data reported	0	0	0	0

Supreme Court

The highest legal institution in the state, the Supreme Court, composed of five justices, renders timely appellate decisions. The Court also establishes policy for the operation and accountability of the Unified Judicial System, which includes the circuit courts and court administrators.

For FY 2006 the Court requests \$1,907,589 (\$1,873,819 from the State General Fund) and 19.0 FTEs. This is an increase of \$5,346 (0.3%) from FY 2005. The Governor concurs.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	1,366,539	1,408,230	1,408,463	1,408,463	233	0.0%
Travel	32,734	38,705	39,985	39,985	1,280	3.3%
Contractual Services	283,540	237,211	241,044	241,044	3,833	1.6%
Supplies and Materials	61,191	60,992	60,992	60,992	-	0.0%
Capital Outlay	128,342	157,105	157,105	157,105	-	0.0%
TOTAL	1,872,346	1,902,243	1,907,589	1,907,589	5,346	0.3%
Funding Sources:						
General Funds	1,836,532	1,868,473	1,873,819	1,873,819	5,346	0.3%
Other Funds	35,814	33,770	33,770	33,770	-	0.0%
TOTAL	1,872,346	1,902,243	1,907,589	1,907,589	5,346	0.3%
FTE	19.0	19.0	19.0	19.0	0.0	0.0%

Revenues

Other Fund Revenue Sources

	<u>Actual</u> <u>FY2003</u>	<u>Actual</u> <u>FY2004</u>	<u>FY2005</u> <u>Estm.</u>	<u>FY2006</u> <u>Estm.</u>	<u>% Change</u> <u>Over</u> <u>FY2003</u>
Supreme Court Filing Fees	\$ 9,750	\$ 9,750	\$ 10,500	\$ 10,500	7.7%
Attorney Admission Certificate Fees	700	820	850	850	21.4%
Copies of Opinions & Misc	4,624	3,094	3,500	3,500	-24.3%
Court Automation Fee	3,900	3,900	4,000	4,000	2.6%
Interest Earned	1,781	1,743	1,800	1,800	1.1%
Total	\$ 20,755	\$ 19,307	\$ 20,650	\$ 20,650	-0.5%

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Filings:				
Civil Appeals	243	212	220	220
Criminal Appeals	110	96	110	110
Petitions for Intermediate Appeal	29	35	40	40
Notices of Review	21	21	25	25
Original Proceedings	22	28	30	30
Appl. for Certificate of Probable Cause	20	13	20	20
Oral Arguments (Actions/Submissions)	61/90	57 / 70	60 / 80	60 / 80
Cases Submitted on Briefs (Actions/Submissions)	215/230	200 / 210	210 / 230	210 / 230
Dispositions:				
Opinions Filed (Actions/Submissions)	160 / 177	178 / 196	160 / 180	160 / 180
Orders of Dismissal (Actions/Submissions)	73 / 73	72 / 72	90 / 90	90 / 90
Other Dispositions	56	50	70	70
Summary Dispositions	83 / 83	122 / 122	100 / 100	100 / 100
Judicial:				
Orders, Writs, and Judgements Entered	1,085	1,090	1,100	1,100
Review of Bar Applicants	68	75	80	80
Case Conference	24	26	26	26
Legal Research:				
Appeals Screened	445	445	445	445
Cases Briefs Were Received In	230	270	270	270
Per Curiams Assigned	74	62	75	75
Circuit Judge Opinions Issued	28	24	35	35
Law Library:				
Volumes Updated	1,000	1,000	1,000	1,000
Volumes Weeded	2,000	640	200	200
Bar Admissions:				
Applications Processed	99	155	165	165
Bar Inquiries Answered	800	1,200	1,300	1,300

Judicial Qualifications Commission

This constitutional commission, mentioned in Article V § 9 of the Constitution and authorized by chapter 16-1A, holds justices and judges accountable for their conduct by investigating complaints and holding hearings. The commission also makes recommendations to the Supreme Court regarding its findings. The Governor receives recommendations from the commission about the filling of judicial vacancies. The commission is comprised of seven members: 2 circuit judges appointed by the judicial conference, 3 practicing lawyers appointed by the State Bar president, and 2 citizens appointed by the Governor.

The Court requests \$29,530 from the State General Fund. This is the amount approved for FY 2005. The Governor concurs.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	969	4,844	4,844	4,844	-	0.0%
Travel	1,785	5,000	5,000	5,000	-	0.0%
Contractual Services	8,098	18,186	18,186	18,186	-	0.0%
Supplies and Materials	133	1,500	1,500	1,500	-	0.0%
TOTAL	10,985	29,530	29,530	29,530	-	0.0%
Funding Sources:						
General Funds	10,985	29,530	29,530	29,530	-	0.0%
FTE	0.0	0.0	0.0	0.0	-	n / a

Revenues

Other Fund Revenue Sources

	<u>Actual</u> <u>FY2003</u>	<u>Actual</u> <u>FY2004</u>	<u>FY2005</u> <u>Estm.</u>	<u>FY2006</u> <u>Estm.</u>	<u>% Change</u> <u>Over</u> <u>FY2003</u>
None reported					

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Oral Complaints/Inquiries	40	40	40	40
Formal Written Complaints Received	10	16	13	13
Investigations of Complaints	10	16	13	13
Hearings	1	1	1	1
Applicant Hearings (Judges Vacancies)	5	1	1	2
Applicants Interviewed	20	4	4	8
Investigation of Applicants	5	1	1	2

Court Administrator's Office

The Court Administrator's Office provides the Supreme Court and the circuit courts with support relating to: (1) personnel and training; (2) management of the Unified Judicial System, including maintenance and evaluation of juvenile services, misdemeanor and felony pre-sentence investigations, probation, volunteer services, caseload management, victim restitution; (3) information systems; and (4) budget.

The Court requests \$2,632,025 from all funds; this includes \$1,700,006 from the State General Fund, \$56,166 from federal funds, and \$875,853 from other funds. This is an increase of \$463,224 (21.4%) from FY 2005. The Court also requests 40.0 FTEs; this is 8.0 more than what was approved for FY 2005. The Governor concurs with this request.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	1,810,694	1,919,508	2,376,476	2,376,476	456,968	23.8%
Travel	42,911	39,295	40,655	40,655	1,360	3.5%
Contractual Services	139,944	116,553	121,449	121,449	4,896	4.2%
Supplies and Materials	30,375	43,445	43,445	43,445	-	0.0%
Grants and Subsidies	54,241	50,000	50,000	50,000	-	0.0%
Capital Outlay	2,218	-	-	-	-	N/A
TOTAL	2,080,383	2,168,801	2,632,025	2,632,025	463,224	21.4%
Funding Sources:						
General Funds	1,609,034	1,637,414	1,700,006	1,700,006	62,592	3.8%
Federal Funds	-	-	56,166	56,166	56,166	N/A
Other Funds	471,348	531,387	875,853	875,853	344,466	64.8%
TOTAL	2,080,382	2,168,801	2,632,025	2,632,025	463,224	21.4%
FTE	31.0	32.0	40.0	40.0	8.0	25.0%

Revenues

	<u>Actual</u>			<u>% Change</u>
	<u>FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>Over</u>
			<u>FY2006 Estm.</u>	<u>FY2003</u>

None reported.

The Court requests \$2,376,476 for the salaries and wages (including \$1,444,457 from the State General Fund) of 40.0 FTEs. This is an increase of \$456,968 (23.8%) and 8.0 FTEs from FY 2005. The Court requests additional funding for the following positions:

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
1.0	Detention Center Help Desk / Programmer	\$56,166	Provide help desk support in the evening hours when detention centers are the most active; also provide programming support and training for centers
1.0	Project Manager	\$62,999	Oversee maintenace projects for computer systems
1.0	Network Security Administrator	\$56,166	Implement and monitor methods that insure the security and integrity of data and documents created by UJS personnel
4.0	Senior Programmer / Analyst	\$224,664	Provide support for UJS computer systems.
1.0	Court Services Program Coordinator	\$56,166	Peform professional evaluation services on referral programs and coordinate the development of an enhanced training curriculum, and design a policy & procedures manual for court services
8.0		\$456,161	

*Includes salaries and benefits

According to the Court Administrator's Office, the funding sources for these enhancements would be the Court Automation Fund (\$343,829), from federal funds (\$56,166), and from the State General Fund (\$56,166). The 4.0 Senior Programmer/Analyst positions would eliminate three contract programmer positions that are currently paid an average of \$70 per hour.

The Governor recommends this request.

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Budget and Finance:				
Vouchers Processed	10,119	9,668	10,000	10,000
Requisitions Processed	335	283	350	350
Printing Requisitions Processed	132	427	140	140
Cash Receipts Processed	68	63	70	70
Journal Vouchers Processed	61	54	60	60
New Clerks Accounting Training Sessions	9	12	12	12
Personnel and Training:				
Positions Terminated/Advertised/Filled	58 / 44 / 42	78 / 53 / 61	80 / 60 / 70	80 / 60 / 70
Position Applications Processed	1,105	1,620	1,700	1,700
Travel Requests Processed	128	119	145	145
Planning and Systems Development:				
Administrative Functions	2,109	2,326	2,400	2,400
Type Encoding	207	208	200	200
Staff Support	811	800	1,500	1,500
Mailings	56	53	60	60
Adhoc Requests	552	276	500	1,000
Systems Development	10,473	15,220	15,500	15,500
Systems Maintenance	10,784	9,568	11,000	13,000
Systems Documentation	776	1,424	1,500	1,800
Training Others	796	714	900	1,200
Staff Training	841	786	1,000	1,000
User Assistance	2,831	4,112	4,500	4,800
Evaluating User Needs	13	79	80	80
Evaluating Hardware/Software	68	280	300	300
Installing Hardware/Software	2,859	1,492	2,000	2,500
LAN Support Maintenance	819	857	900	1,000
Maintaining Computer Inventory	460	172	300	300
Tape Backup	335	105	300	300
Ordering/Budgeting Computer Equipment	143	115	150	150
Troubleshooting Hardware/Software	482	992	1,000	1,200
Microcomputer Support Group	94	5	40	40
Writing/Maintaining User Manuals	174	259	300	350
Computer Support	2,769	3,282	3,400	3,600
Web Maintenance	479	693	900	1200

Judicial Training

Judicial Training identifies educational and training opportunities for UJS personnel and meeting the educational standards set by the Court for judicial personnel.

The Court requests \$423,282 from other funds. This is an increase of \$70,784 (20.1%) from FY 2005. The Governor recommends this request.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Travel	224,444	268,365	319,313	319,313	50,948	19.0%
Contractual Services	109,268	84,133	96,669	96,669	12,536	14.9%
Supplies and Materials	12,093	-	7,300	7,300	7,300	N / A
TOTAL	345,805	352,498	423,282	423,282	70,784	20.1%
Funding Sources:						
Other Funds	345,805	352,498	423,282	423,282	70,784	20.1%
FTE	0.0	0.0	0.0	0.0	- N / A	

Revenues

	<u>Actual</u> <u>FY2003</u>	<u>Actual</u> <u>FY2004</u>	<u>FY2005</u> <u>Estm.</u>	<u>FY2006</u> <u>Estm.</u>	<u>% Change</u> <u>Over</u> <u>FY2003</u>
None reported.					

The Court requests \$319,313 from other funds for travel. This is an increase of \$50,948 (19.0%) from FY 2005. The enhancement will be used for both in-state travel (\$47,784) and out-of-state travel (\$3,164). The Governor recommends this request.

The Court requests \$96,669 from other funds for contractual services. This is an increase of \$12,526 (14.9%) from FY 2005. The enhancement will be used for an educational and training consultant and for workshop registration fees. The Governor recommends this request.

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
UJS Training -- In-State:				
Judges/Non-Judges	54 / 701	109 / 570	100 / 600	100 / 600
UJS Training -- Out-of-State:				
Judges/Non-Judges	18 / 110	30 / 89	40 / 90	40 / 90

Circuit Courts Operation

The Circuit Courts hear and dispose of all matters filed with them. Judges, magistrates, court reporting, and other administrative personnel are allocated amongst the 7 judicial circuits. Each circuit is overseen by a presiding judge and a circuit administrator.

Circuit	Counties
1	Aurora, Bon Homme, Brule, Buffalo, Charles Mix, Clay, Davison, Douglas, Hanson, Hutchinson, McCook, Turner, Union, and Yankton
2	Lincoln and Minnehaha
3	Beadle, Brookings, Clark, Codington, Deuel, Grant, Hamlin, Hand, Jerauld, Lake, Miner, Moody, and Sanborn
4	Butte, Corson, Dewey, Harding, Lawrence, Meade, Perkins, and Ziebach
5	Brown, Campbell, Day, Edmonds, Faulk, Marshall, McPherson, Roberts, Spink, and Walworth
6	Bennett, Gregory, Haakon, Hughes, Hyde, Jackson, Jones, Lyman, Mellette, Potter, Stanley, Sully, Todd, and Tripp
7	Custer, Fall River, Pennington, and Shannon

The Court requests \$11,049,451 which includes \$10,222,648 from the State General Fund and \$826,803 from other funds. This is an increase of \$102,716 (0.9%) from FY 2005. The Governor concurs with this request.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	8,931,609	9,266,744	9,367,507	9,367,507	100,763	1.1%
Travel	139,244	172,774	178,646	178,646	5,872	3.4%
Contractual Services	938,455	1,029,792	1,021,552	1,021,552	(8,240)	-0.8%
Supplies and Materials	136,393	119,765	128,488	128,488	8,723	7.3%
Grants and Subsidies	230,000	296,000	296,000	296,000	-	0.0%
Capital Outlay	57,659	61,660	57,258	57,258	(4,402)	-7.1%
TOTAL	10,433,360	10,946,735	11,049,451	11,049,451	102,716	0.9%
Funding Sources:						
General Funds	9,661,009	10,119,932	10,222,648	10,222,648	102,716	1.0%
Other Funds	772,351	826,803	826,803	826,803	-	0.0%
TOTAL	10,433,360	10,946,735	11,049,451	11,049,451	102,716	0.9%
FTE	120.1	121.9	124.9	124.9	3.0	2.5%

Revenues

Other Fund Revenue Sources

	<u>Actual</u> <u>FY2003</u>	<u>Actual</u> <u>FY2004</u>	<u>FY2005</u> <u>Estm.</u>	<u>FY2006</u> <u>Estm.</u>	<u>% Change</u> <u>Over</u> <u>FY2003</u>
None reported					

The Court requests \$9,367,507 for the salaries and wages (including \$9,364,923 from the State General Fund) of 124.9 FTEs. This is an increase of \$100,763 (1.1%) and 3.0 FTEs from FY 2005. The Court requests additional funding for the following positions:

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
1.0	Scheduling Clerk	\$33,558	Provide secretarial and scheduling support 2d Circuit judges due to the new Lincoln County courtroom and be a back-up recorder due to the limited availability of court reporters
1.0	Computer Assisted Court Recorder	\$36,104	Will replace a part-time contracted position and will work through out the 3d Circuit and provide secretarial support for the administrative office.
1.0	Secretary	\$31,345	Provide secretarial support for 7th Circuit
3.0		\$101,007	

*Includes salaries and benefits

According to the Court Administrator's Office, the funding source for these enhancements would be the State General Fund. The Governor recommends this request.

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Criminal Case Load - Felony Offenses:				
Jury Trials	137	124	125	126
Guilty Pleas	2,261	2,235	2,257	2,280
Dismissals	1,525	1,186	1,198	1,210
Preliminary Hearings	745	731	738	746
Class One Misdemeanor:				
Jury Trials	112	89	90	91
Guilty Pleas	11,150	11,313	11,426	11,540
Dismissals	4,184	3,211	3,243	3,276
Preliminary Hearings	1,614	1,554	1,570	1,585
Class Two Misdemeanor and Petty Offenses:				
Jury Trials	2	3	3	3
Guilty Pleas	122,727	122,553	123,779	125,016
Dismissals	20,549	15,154	15,306	15,459
Preliminary Hearings	267	214	216	218
Civil Case Load:				
Jury Trials	86	105	106	107
Dismissals	8,176	8,129	8,210	8,292
Other Terminations	25,066	30,006	30,306	30,609
Small Claims Filings	34,597	33,510	35,186	36,945
Small Claims Judgments	21,081	21,035	21,245	21,458
Dismissed Small Claims	11,070	11,360	11,474	11,588

Clerks of Court Operations

The Clerks of Court provide support to the circuit courts by managing all documents filed for court action by circuit judges, lay magistrates, and magistrate judges. The clerks of court assist with calendaring, case flow, and jury use. The clerks also maintain law libraries throughout the state.

The Court requests \$7,363,187 which includes \$7,292,287 from the State General Fund and \$70,900 from federal funds. This is an increase of \$112,181 (1.5%) from FY 2005. The Governor concurs with this request.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	6,352,948	6,570,816	6,662,439	6,662,439	91,623	1.4%
Travel	34,801	43,057	47,703	47,703	4,646	10.8%
Contractual Services	212,550	249,141	248,154	248,154	(987)	-0.4%
Supplies and Materials	280,676	285,483	301,495	301,495	16,012	5.6%
Capital Outlay	132,286	102,509	103,396	103,396	887	0.9%
TOTAL	7,013,261	7,251,006	7,363,187	7,363,187	112,181	1.5%
Funding Sources:						
General Funds	6,966,272	7,180,106	7,292,287	7,292,287	112,181	1.6%
Federal Funds	46,990	70,900	70,900	70,900	-	0.0%
TOTAL	7,013,262	7,251,006	7,363,187	7,363,187	112,181	1.5%
FTE	183.2	180.9	184.0	184.0	3.1	1.7%

Revenues

Other Fund Revenue Sources

	<u>Actual</u>	<u>Actual</u>	<u>FY2005</u>	<u>FY2006</u>	<u>% Change</u>
	<u>FY2003</u>	<u>FY2004</u>	<u>Estm.</u>	<u>Estm.</u>	<u>Over FY2003</u>
35% of Municipal Fines	\$ 434,688	\$ 457,776	\$ 450,000	\$ 450,000	3.5%
Passport Fees	19,230	19,930	19,000	19,000	-1.2%
NSF Charges	11,843	10,860	11,000	11,000	-7.1%
Victim Compensation Surcharge	338,114	334,626	340,000	340,000	0.6%
Liquidated Costs	3,436,731	3,631,973	4,030,000	4,030,000	17.3%
Marriage Fees	21,520	20,920	21,000	21,000	-2.4%
Court Automation Surcharge	1,535,300	1,502,699	2,100,000	2,100,000	36.8%
Fax Fees	14,532	19,794	17,000	17,000	17.0%
Victims Compensation 3% Administration	-	20,846	10,000	10,000	N / A
Interest Earned	49,684	30,960	30,000	30,000	-39.6%
Information Request	2,364	1,240	2,000	2,000	-15.4%
Nonresident Attorney	6,000	7,650	7,000	7,000	16.7%
Search Fees	769,781	1,046,528	1,100,000	1,100,000	42.9%
Drug Screening/Electronic Monitoring Fees	22,373	22,323	34,000	38,000	69.8%
Interest Earned	1,021	903	900	900	-11.9%
Total	\$ 6,663,181	\$ 7,129,028	\$ 8,171,900	\$8,175,900	22.7%

The Court requests \$6,662,439 for the salaries and wages (including \$6,591,539 from the State General Fund) of 184.0 FTEs. This is an increase of \$91,623 (1.4%) and 3.1 FTEs from FY 2005. The Court requests additional funding for the following positions:

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
1.0	Deputy Court Clerk	\$29,633	Perform clerical duties in the clerk of court office in Minnehaha County.
1.0	Deputy Court Clerk	\$29,633	Perform clerical duties in the clerk of court office in Pennington counties.
1.1	Deputy Court Clerk	\$31,898	Perform clerical duties in the clerks of court offices in Turner, Jerauld, and Meade counties
<hr/>			
3.1		\$91,164	

*Includes salaries and benefits

According to the Court Administrator's Office, the funding source for these enhancements would be the State General Fund. The Governor recommends this request.

Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Criminal Case Load - Felony Offenses:				
Filings/Pending	6,277 / 5,978	6,895 / 6,936	6,964 / 7,005	7,034 / 7,075
Class One Misdemeanor:				
Filings/Pending	20,107 / 16,948	20,542 / 18,144	20,747 / 18,325	20,955 / 18,509
Class Two Misdemeanor and Petty Offenses:				
Filings/Pending	39,580	36,983	143,445 / 37,353	144,880 / 37,726
Civil Case Load:				
Domestic Relations Filings and Cases Reinstated	13,137	13,320	13,453	13,588
Civil Case Filings and Cases Reinstated	13,268	12,271	13,498	14,848
Administrative Appeals Filings	210	184	186	188
Circuit Court Appeals to Supreme Court	330	263	266	268
Probate Filings and Cases Reinstated	2,330	2,343	2,366	2,390
Misc. Filings and Cases Reinstated	3,854	4,634	4,680	4,727
Juvenile Filings and Cases Reinstated	8,582	9,067	9,158	9,249
Small Claims Filings	33,749	33,701	35,386	37,155
Child Support Receipts	16,976	13,375	10,031	7,523
Record Search Requests	79,055	96,139	97,100	98,071

Court Services Operations

The mission for Court Services is to protect the public from juvenile and adult offenders that are under the jurisdiction of the UJS. This is accomplished by assisting offenders, in a non-incarceration setting, to become productive, law-abiding members of society. Court services provides pre-sentence investigations and other diagnostic evaluations, probation related services, juvenile intake screening, juvenile diversion services, and assistance to victims of crime. Court Services also coordinates services for probationers across jurisdictions.

The Court requests \$6,547,349 which includes \$6,401,187 from the State General Fund, \$102,905 from federal funds, and \$43,257 from other funds. This is an increase of \$211,329 (3.3%) from FY 2005. The Governor concurs with this request.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Personal Services	5,394,520	5,743,360	5,885,965	5,885,965	142,605	2.5%
Travel	156,131	192,426	209,392	209,392	16,966	8.8%
Contractual Services	154,808	176,687	189,779	189,779	13,092	7.4%
Supplies and Materials	81,148	82,014	94,367	94,367	12,353	15.1%
Grants and Subsidies	83,000	80,000	80,000	80,000	-	0.0%
Capital Outlay	39,984	61,533	87,846	87,846	26,313	42.8%
TOTAL	5,909,591	6,336,020	6,547,349	6,547,349	211,329	3.3%
Funding Sources:						
General Funds	5,768,422	6,198,535	6,401,187	6,401,187	202,652	3.3%
Federal Funds	114,453	102,905	102,905	102,905	-	0.0%
Other Funds	26,715	34,580	43,257	43,257	8,677	25.1%
TOTAL	5,909,590	6,336,020	6,547,349	6,547,349	211,329	3.3%
FTE	117.6	122.0	125.6	125.6	3.6	3.0%

Revenues

Other Fund Revenue Sources

	<u>Actual</u>				<u>% Change</u>
	<u>FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>Over FY2003</u>
None reported					

The Court requests \$5,885,965 for the salaries and wages from the State General Fund for 125.6 FTEs. This is an increase of \$142,605 (2.5%) and 3.6 FTEs from FY 2005. The Court requests additional funding for the following positions:

<u>Qty of FTE</u>	<u>Position Title</u>	<u>Amount*</u>	<u>Intended Use</u>
2.0	Court Services Officer	\$94,588	Supervise adults and juveniles placed on probation in the 7th Circuit where a need for additional staff has been demonstrated
1.6	Court Services Secretary	\$46,744	Perform additional clerical duties in the First Circuit (adding 0.5 FTE to an existing 0.5 FTE Secretary position and creating a new 0.5 FTE Secretary), Fifth Circuit (adding 0.3 FTE to an existing 0.5 FTE Secretary position), and in the Sixth Circuit (adding 0.3 FTE to an existing 0.5 FTE Secretary position)
3.6		\$141,332	

*Includes salaries and benefits

According to the Court Administrator's Office, the funding source for these enhancements would be the State General Fund. The Governor recommends this request.

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Juvenile Services:				
Prehearing Investigations	729	315	318	321
90-Day Diversion Services	1,275	1,285	1,298	1,311
Active Cases at End of FY	462	1,656	1,673	1,689
Placed on Probation	2,602	2,890	2,919	2,948
On Probation at End of FY	1,848	2,043	2,063	2,084
Restitution Received	\$289,241	\$321,188	\$324,400	\$327,644
Case Services Monitoring:				
Placed in Program	533	474	479	484
Active Cases at End of FY	275	202	204	206
Interstate Compact Cases - In	15	21	21	21
Interstate Compact Cases - Out	23	24	24	24
Intensive Probation:				
Active Cases During Fiscal Year	337	326	329	333
Successful Completed Program	153	127	128	130
Failed Program and Sent to DOC	91	97	98	99
Active Cases at End of Fiscal Year	93	102	103	104
Adult Service, Misdemeanor:				
PSI Reports	282	242	244	247
Placed on Probation	305	173	175	176
On Probation at End of FY	307	289	292	295
Restitution Received	\$973,016	\$1,028,513	\$1,038,798	\$1,049,186
Adult Service, Felony:				
PSI Reports	2,395	2,401	2,425	2,449
Placed on Probation	1,761	1,439	1,453	1,468
On Probation at End of FY	2,889	3,084	3,115	3,146
Restitution Received	\$1,659,007	\$1,782,835	\$1,800,664	\$1,818,670
Case Services Monitoring Program:				
Placed in Program	1,295	1,306	1,319	1,332
Active Cases at End of FY	932	1,182	1,194	1,206
Adult Interstate Compact Case Load:				
Placed on Probation - Out	430	460	465	469
Placed on Probation - In	371	357	361	364
On Probation at End of FY	801	817	825	833

Community-Based Juvenile Services

The program provides individual, community-based treatment as an alternative to commitment to the Department of Corrections.

The Court requests \$509,036 from the State General Fund; this is the same amount as what was approved for FY 2005. The Governor recommends this amount.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Grants and Subsidies	406,732	509,036	509,036	509,036	-	0.0%
Funding Sources:						
General Funds	406,732	509,036	509,036	509,036	-	0.0%
FTE	0.0	0.0	0.0	0.0	0.0	N / A

Revenues

Other Fund Revenue Sources

	<u>Actual FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>% Change Over FY2003</u>
None reported					

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Clients / Average Client Cost	241 / \$1,341	290 / \$1,403	311 / \$1,637	334 / \$1,488
Total Cost	\$323,300	\$406,732	\$509,036	\$496,865

Computer Services

Computer Services provides and maintains the information systems used by UJS personnel and accessed by other state agencies or local government units.

The Court requests \$2,326,441 which includes \$312,298 from federal funds and \$2,514,143 from other funds. This is the same amount as what the Legislature approved for FY 2005. The Governor recommends this amount.

Item	Actual FY2004	Approved FY2005	Agency Req. FY2006	Gov. Rec. FY2006	Change from FY2005	% Change from FY2005
Contractual Services	1,891,230	2,338,441	2,045,521	2,045,521	(292,920)	-12.5%
Supplies and Materials	4,958	3,500	5,000	5,000	1,500	42.9%
Capital Outlay	339,913	484,500	775,920	775,920	291,420	60.1%
TOTAL	2,236,101	2,826,441	2,826,441	2,826,441	-	0.0%
Funding Sources:						
General Funds	202,713	-	-	-	-	N / A
Federal Funds	73,910	312,298	312,298	312,298	-	0.0%
Other Funds	1,959,478	2,514,143	2,514,143	2,514,143	-	0.0%
TOTAL	2,236,101	2,826,441	2,826,441	2,826,441	-	0.0%
FTE	0.0	0.0	0.0	0.0	0.0	N / A

Revenues

Other Fund Revenue Sources

	<u>Actual FY2003</u>	<u>Actual FY2004</u>	<u>FY2005 Estm.</u>	<u>FY2006 Estm.</u>	<u>% Change Over FY2003</u>
None reported					

The Court requests shifting a net \$292,920 from contractual services, primarily due to computer consultants (\$299,520), to capital outlay which will be used primarily for computer hardware (\$151,700) and audio-visual equipment (\$101,400).

Selected Performance Indicators

	ACTUAL FY 2003	ACTUAL FY 2004	ESTIMATED FY 2005	ESTIMATED FY 2006
Planning and Systems Development:				
Administrative Functions	2,109	2,326	2,400	2,400
Type Encoding	207	208	200	200
Staff Support	811	800	1,500	1,500
Mailings	56	53	60	60
Adhoc Requests	552	276	500	1,000
Systems Development	10,473	15,220	15,500	15,500
Systems Maintenance	10,784	9,568	11,000	13,000
Systems Documentation	776	1,424	1,500	1,800
Training Others	796	714	900	1,200
Staff Training	841	786	1,000	1,000
User Assistance	2,831	4,112	4,500	4,800
Evaluating User Needs	13	79	80	80
Evaluating Hardware/Software	68	280	300	300
Installing Hardware/Software	2,859	1,492	2,000	2,500
LAN Support Maintenance	819	857	900	1,000
Maintaining Computer Inventory	460	172	300	300
Tape Backup	335	105	300	300
Ordering/Budgeting Computer Equipment	143	115	150	150
Troubleshooting Hardware/Software	482	992	1,000	1,200
Microcomputer Support Group	94	5	40	40
Writing/Maintaining User Manuals	174	259	300	350
Computer Support	2,769	3,282	3,400	3,600
Web Maintenance	479	693	900	1200

Other Departmental Issues

A. Interim Appropriation Actions

	Approved FY2005 Budget	Interim Action	Revised FY 2005 Budget
Funding Sources:			
General Funds	\$ 27,543,026	\$ -	\$ 27,543,026
Federal Funds	\$ 486,103	\$ -	\$ 486,103
Other Funds	\$ 4,801,289	\$ -	\$ 4,801,289
Total	\$ 32,830,418	\$ -	\$ 32,830,418
F.T.E.	478.8	-	478.8

No action.